Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 01-04-01	Bureau/Station/Facility: LASD/Carson	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 001-00159-1692-051	Date: 01-04-01 Time: 1651
City or Station: Torrance	Nature of Incident: DEPUTY INVOLVED SHOOTING-SUSPECT HIT
Location: 1141 West Carson Street	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, (Parking Lot), Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, (Daylight), Other, Street Lights

Weather (*circle only one*): (Clear), Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, Armed Person, Fleeing Suspect, Foot Pursuit, (Gun Take Away), Moving Vehicle, Sniper/Ambush, Startle, (Struggle Involved), Traffic Stop, (Unarmed Person), Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, (Call), Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
3	0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]	M.I. [redacted]		
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]	M.I.		
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]	M.I.		
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Hocking	John	E.	(On Duty), Present during shooting, Witness to shooting, Involved in shooting
[redacted]	Holloway	Diana	L.	(On Duty), Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	King	Mary	K

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Burns	Nicky	L

PSTD Use Only
SH # ______

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01-04-01	1820		

Employee #	Last Name	First Name	M.I
[redacted]	Smith	Richard	G
[redacted]	Wilson	Steve	D
[redacted]	Morejon	Elier	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	GS	LE
E#1	S#1	FH	BR	9	Y	Y	GS	FA
E#2	S#1	FH	BR	9	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 001-00159-1692-051

Involved Employee

E 1

Employee #	Last Name	First Name	M.I.
[redacted]	Farrell	William	W

Sex:	Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
M	W	Deputy	Carson	C.O.P.S/160N21

- ShiftTime (*circle only one*): EM (PM) [circled] Day
- ShiftType (*circle only one*): (Regular) [circled] Overtime Off Duty
- Intoxication/Drug Usage? ☐
- Substance Used:
- Hospital Admission? ☐
- Hospital Name:
- Coroner Case? ☐
- Coroner Case #
- Interviewed? ☒
- Hrs of sleep prior to shooting:
- Duty Time (hrs): [redacted]
- Clothing (*circle only one*): Plain Clothes no Vest; Raid Jacket w/ Vest; Plain Clothes w/ Vest; Uniform no Vest; Raid Jacket no Vest; (Uniform w/ Vest) [circled]
- Other Factors: CLASS "C" UNIFORM
- Age: 40 Height: 5'11" Weight: 210
- Range Qualification Date: [redacted]
- PPC Qualification Date: [redacted]
- Laser Training Date: [redacted]
- Certified with Weapon Used? [redacted]
- Patrol Certification? [redacted]
- Certification Unit: [redacted]
- Prior Shootings? [redacted]
- Number of Prior Shootings: [redacted]
- Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]
- Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

E 2

Employee #	Last Name	First Name	M.I.
[redacted]	Nelson	Gregory	P.

Sex:	Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
M	W	Deputy	Carson	C.O.P.S/160N21

- ShiftTime (*circle only one*): EM (PM) [circled] Day
- ShiftType (*circle only one*): (Regular) [circled] Overtime Off Duty
- Intoxication/Drug Usage? ☐
- Substance Used:
- Hospital Admission? ☐
- Hospital Name:
- Coroner Case? ☐
- Coroner Case #
- Interviewed? ☒
- Hrs of sleep prior to shooting:
- Duty Time (hrs): [redacted]
- Clothing (*circle only one*): Plain Clothes no Vest; Raid Jacket w/ Vest; Plain Clothes w/ Vest; Uniform no Vest; Raid Jacket no Vest; (Uniform w/ Vest) [circled]
- Other Factors: CLASS "C" UNIFORM
- Age: 31 Height: 5'10" Weight: 185
- Range Qualification Date: [redacted]
- PPC Qualification Date: [redacted]
- Laser Training Date: [redacted]
- Certified with Weapon Used? [redacted]
- Patrol Certification? [redacted]
- Certification Unit: [redacted]
- Prior Shootings? [redacted]
- Number of Prior Shootings: [redacted]
- Field Training Officer Emp # Last Name First Name M.I.
- Field Training Officer Emp # Last Name First Name M.I.

E __

Employee #	Last Name	First Name	M.I.

Sex:	Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):

- ShiftTime (*circle only one*): EM PM Day
- ShiftType (*circle only one*): Regular Overtime Off Duty
- Intoxication/Drug Usage? ☐
- Substance Used:
- Hospital Admission? ☐
- Hospital Name:
- Coroner Case? ☐
- Coroner Case #
- Interviewed? ☐
- Hrs of sleep prior to shooting:
- Duty Time (hrs):
- Clothing (*circle only one*): Plain Clothes no Vest; Raid Jacket w/ Vest; Plain Clothes w/ Vest; Uniform no Vest; Raid Jacket no Vest; Uniform w/ Vest
- Other Factors:
- Age: Height: Weight:
- Range Qualification Date:
- PPC Qualification Date:
- Laser Training Date:
- Certified with Weapon Used? ☐
- Patrol Certification? ☐
- Certification Unit:
- Prior Shootings? ☐
- Number of Prior Shootings:
- Field Training Officer Emp # Last Name First Name M.I.
- Field Training Officer Emp # Last Name First Name M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 001-00159-1692-051

Suspect Information

S 1

Last Name: ROBINSON	First Name: CHARLES	M.I.: R.
AKA Last Name:	First Name:	M.I.:

Sex: M Race: WHT	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 22 D.O.B. 12-17-78	Height: 5'03" Weight: 120	FBI #: [redacted]	CII #: [redacted]
Booking #: 6726154	Primary Charge: 664/187 P.C. ATTEMPT MURDER	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☒	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: MERCURY		Model: TRACER	Year: 1995

S 2

Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
AKA Last Name:	First Name:	M.I.:

Sex: M Race: WHT	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. [redacted]	Height: 6'02" Weight: 195	FBI #:	CII #: [redacted]
Booking #: [redacted]	Primary Charge: 11550 H&S	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☒	Substance Used: METHAMPHETAMINE
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: MERCURY		Model: TRACER	Year: 1995

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]		[redacted]			[redacted]

INVESTIGATIVE SUMMARY
USE OF FORCE
TYPE: DEPUTY INVOLVED SHOOTING-SUSPECT INJURED
RESISTED HANDCUFFING
I.A.B. FILE NUMBER: SH 2027107
FO 2027113
URN: 001-00159-1692-051

On Thursday, January 4, 2001, Sergeants Richard Smith and Steven Wilson, along with Lieutenant Gregory Johnson of the Internal Affairs Bureau responded to 1141 W. Carson St., Torrance regarding a Deputy Involved Shooting involving Carson Station personnel. Lieutenant Ray Peavy, Sergeants Craig Melvin and Daniel Cruz, and Investigators Stephen Davis and Christine Carns from Homicide Bureau were on scene to conduct the criminal investigation.

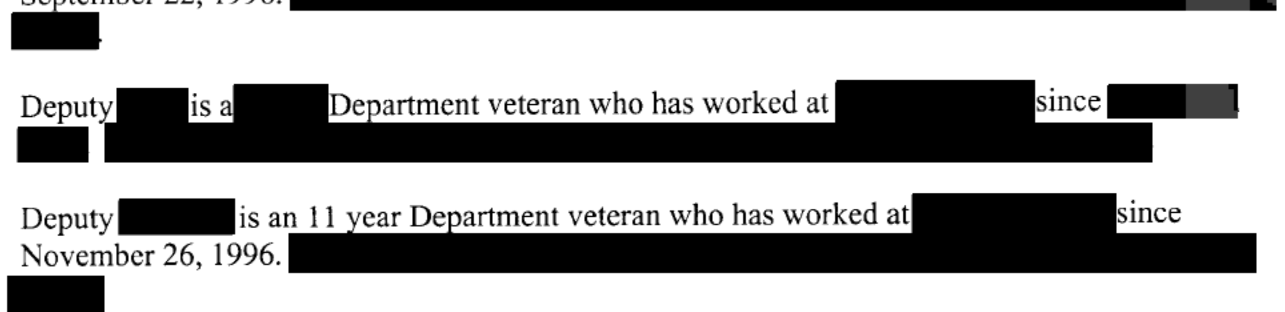
The summary of this incident is based on information obtained from interviews of the involved employees and witnesses, whose individual statements are contained in the Homicide Bureau case package **(refer to Exhibit A)**.

INVOLVED PERSONNEL:

Farrell, William, Deputy	#[redacted]	MW/41	5'11"/210 lbs
Nelson, Gregory, Deputy	#[redacted]	MW/31	5'10"/185 lbs
[redacted] Deputy	#[redacted]	FW/27	5'06"/148 lbs
[redacted] Deputy	#[redacted]	MH/31	6'02"/238 lbs

EMPLOYEE WORK HISTORY:

Deputy Farrell is a 15 year Department veteran who has worked at Carson Station since January 26, 1988. [redacted]



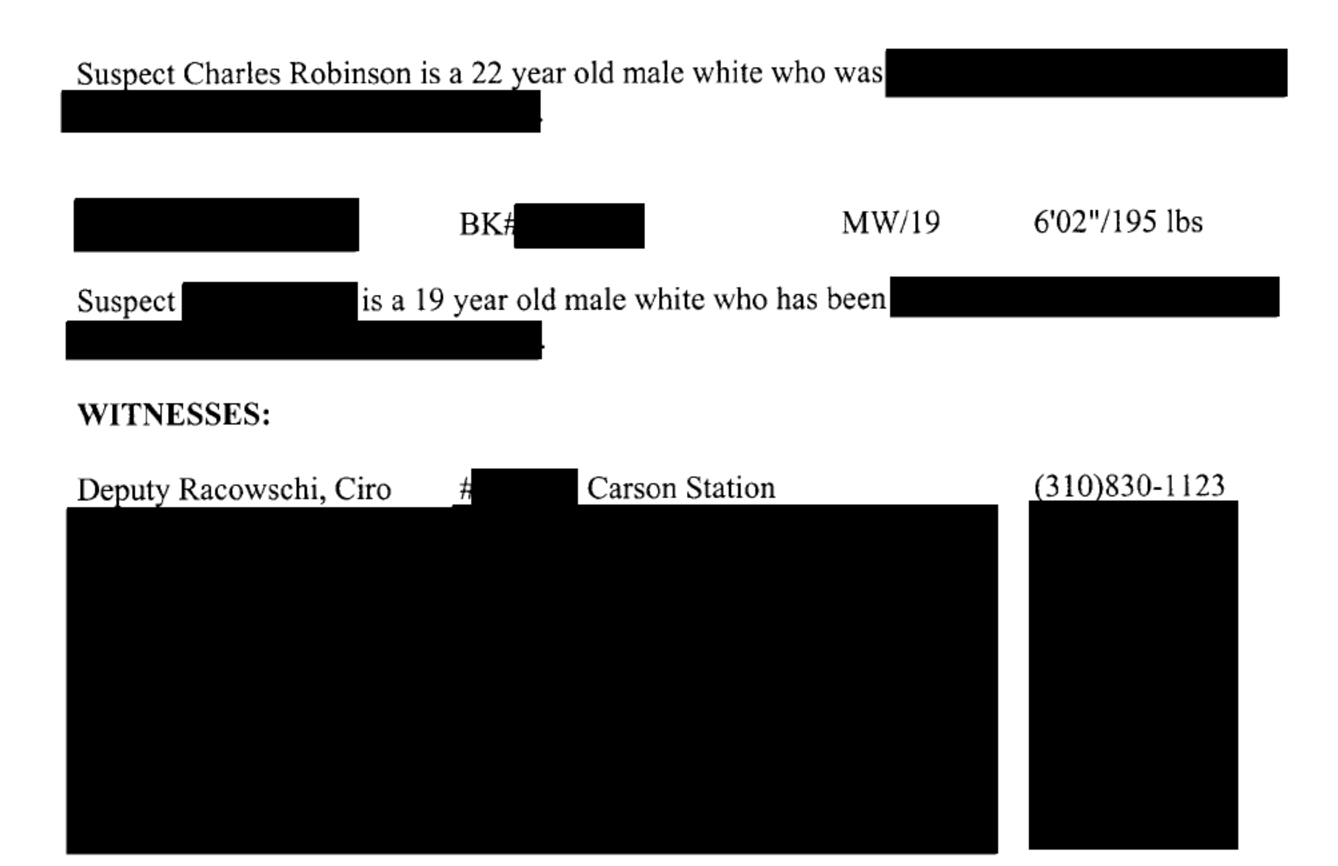
Deputy Nelson is a 10 ½ year Department veteran who has worked Carson Station since September 22, 1996. [redacted]

Deputy [redacted] is a [redacted] Department veteran who has worked at [redacted] since [redacted]

Deputy [redacted] is an 11 year Department veteran who has worked at [redacted] since November 26, 1996. [redacted]

SUSPECT/INMATE:

Robinson, Charles Ray	BK#6726154	MW/20	5'03"/120 lbs



Suspect Charles Robinson is a 22 year old male white who was [redacted].

[redacted] BK#[redacted] MW/19 6'02"/195 lbs

Suspect [redacted] is a 19 year old male white who has been [redacted].

WITNESSES:

Deputy Racowschi, Ciro #[redacted] Carson Station (310)830-1123

[redacted]

INJURIES:

Doctor Michelle Money, LAUSC Medical Center, said Suspect Robinson suffered three gunshot wounds to his person. One wound was a superficial through and through to his left calf which appeared to have traveled on a downward trajectory. Another bullet struck Suspect Robinson in the jaw, apparently exited and re-entered the right neck area, lodging in his right shoulder resulting in two wounds from the same gunshot, which was subsequently determined to have been inflicted by Deputy Farrell's gun **(refer Exhibit A, pages 97 & 98)**. Homicide Investigators were unable to procure a medical release from suspect Robinson.

Deputy Nelson suffered an abrasion on his left elbow **(refer Exhibit K)**.

PHYSICAL EVIDENCE:

Homicide Investigators examined Deputy Nelson's Department issued Beretta, Model 92F, Serial #BER0559392. They noted that the gun was unloaded with no magazine in the weapon. Deputy Nelson's two spare magazines were found to be fully loaded with fifteen rounds of standard Department issue ammunition. Deputy Nelson's third magazine was found at the scene loaded with fifteen rounds of Department issue ammunition. Investigators inspected Deputy Nelson's back-up weapon, described as a Colt .38 caliber 6-shot revolver, serial number [redacted] This gun was loaded with six .38 caliber rounds and did not appear to have been fired **(refer Exhibit A, pages 91 & 92)**. They examined Deputy Farrell's Department issued Beretta,

Model 92F, Serial #BER026847Z. They found the weapon was loaded with eleven live department issued 9MM rounds in the magazine and one live round in the chamber. Deputy Farrell's spare magazine's were loaded with fifteen department issued rounds of ammunition **(refer Exhibit A, pages 95 & 96)**.

Both Deputies weapons were examined by Deputy Edward Anderson, Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section. Both weapons were test fired and were found to be functional**(refer Exhibit B)**.

INVESTIGATOR OBSERVATIONS:

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy William Farrell #[redacted]
Service Weapon, two rounds of duty issued ammunition fired.

Deputy Gregory Nelson #[redacted]
Service Weapon, one round of duty issued ammunition fired.

Deputy [redacted] #[redacted]
Personal Weapon (Foot), kicked Suspect Robinson one time on the left shoulder

Deputy [redacted] #[redacted]
Restraint Device (Handcuffs), forcibly placed Suspect Robinson's hands behind his back for handcuffing.

WEAPONS USED BY SUSPECTS:

Suspect Charles Robinson attempted to seize Deputy Farrell's and Deputy Nelson's issued 9MM Beretta

PROPERTY DAMAGE:

NONE

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Homicide Bureau

Sergeant Daniel Cruz #[redacted]
Sergeant Craig Melvin #[redacted]

Suspect #1, Charles Robinson was charged with (1) 664/187(a) P.C., Attempt Murder of

a Peace Officer, 245(D)(2) P.C., Assault with a Deadly Weapon on a Peace Officer with a Semiautomatic, and two counts of 148(D) P.C., Attempt to Remove Firearm from Peace Officer.

Carson Station
Detective Eddie Brown #[redacted]

Suspect #2, [redacted] BK#[redacted], was charged with 11550(A) H&S, Under The Influence of a Controlled Substance. This case was subsequently not filed for lack of sufficient evidence.

LIGHTING OR WEATHER CONDITIONS:

At the time of the incident it was daylight and the weather was clear.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Gregory Nelson

Deputy Nelson said on the day this incident occurred, he was assigned to the COPS Team, working Unit 160N21, PM shift, with his partner Deputy Wade Farrell. He was the bookman and Deputy Farrell was the driver. He was wearing a Sheriff's Department Class C uniform, green knit shirt with Sheriff's insignia on the back, Sheriff's patches on the shoulder and a badge over the left breast area. He was wearing a Sam Browne belt with a 9MM Beretta handgun, two spare magazines, baton, radio, pepper spray and handcuffs. He was carrying a back-up Colt .38 caliber revolver. He said they were driving a marked black and white Sheriff's radio car.

Deputy Nelson said they were driving south through the parking lot of Best Value Grocery Warehouse when they saw a vehicle parked in the parking lot of that location **(refer Exhibit F)**. He saw two male adults sitting in the front seat of the vehicle and a cloud of smoke in the interior of the vehicle. He subsequently saw that the right front passenger (Suspect Robinson) was smoking a glass pipe, which based on his training and experience, he recognized as a "narcotics smoking pipe" **(refer Exhibit H)**. He told Deputy Farrell what he had seen and Deputy Farrell stopped their radio car south and east of the suspect's vehicle. As Deputy Farrell approached the driver, he approached the passenger side of the vehicle and contacted him, Suspect Robinson. He saw that both suspects had their hands at the lower portion of their bodies and felt that they were possibly concealing contraband or weapons.

Deputy Nelson said that as he got closer to the vehicle and contacted Suspect Robinson he saw that he had both hands tucked inside the rear of his pants up to his forearms and thought that Suspect Robinson was stuffing an unknown item, possibly a weapon, inside his pants. He drew his duty weapon and immediately ordered Suspect Robinson to place his hands into view. He repeated this order five times, but Suspect Robinson refused to comply. He noted that Suspect [redacted] had exited the vehicle and was cooperating with Deputy Farrell. Based on Ssuspect

[redacted] cooperative attitude he refocused his attention on Suspect Robinson, becoming less concerned with Suspect [redacted]. Suspect Robinson did not make any verbal acknowledgment of his presence, but had continual eye contact with him. After several moments Suspect Robinson put his hands in his lap. Based on his earlier observations, the suspect's lack of compliance and the belief that the suspect may be armed, he continued detaining Suspect Robinson at gunpoint while Deputy Farrell detained and conducted a pat down search of a cooperative Suspect [redacted].

Deputy Nelson said that at this time, Suspect Robinson opened the car door. Believing that Suspect Robinson was about to flee, he ordered him to remain in the vehicle and keep his hands in plain view. He got a "bad feeling" from Suspect Robinson's demeanor when he looked at him with a "very strange, aggressive expression." As Deputy Farrell detained Suspect [redacted], Suspect Robinson swung his legs out the open door and quickly raised up off the seat as if to exit the vehicle. Deputy Nelson grabbed both of Suspect Robinson's hands with his left hand, clamping them down into his lap. He also pressed his forearm and elbow into Suspect Robinson's chest in an effort to keep him in the vehicle. While this was occurring he was holding his weapon in his right hand as far away from Suspect Robinson as possible and pointing it at him, telling him not to move.

Deputy Nelson said that Suspect Robinson began moving his wrists in an attempt to break away. He called to his partner, Deputy Farrell, who was still dealing with Suspect [redacted], that he needed help. As this was occurring, Suspect Robinson stated, "You better fuckin' shoot me, cause I'm not going to jail." Deputy Nelson responded "I will shoot you, don't move." At this point he felt Suspect Robinson was going to comply, because he relaxed and "let out a big sigh." Then suddenly, Suspect Robinson, with a great deal of strength, raised up and exited the vehicle, causing Deputy Nelson to back up and lose control of Suspect Robinson's hands.

Deputy Nelson said he was forced to take two to three steps back as Suspect Robinson moved toward him and firmly grabbed the barrel of his duty weapon with both hands. Suspect Robinson began twisting the gun and Deputy Nelson began to lose his grip, which caused him to believe that Suspect Robinson was going to take his weapon and shoot him. In fear for his life, Deputy Nelson fired one round in the direction of Suspect Robinson. Deputy Nelson believes he fired a second round, involuntarily, as a result of the struggle. After the weapon discharged, Suspect Robinson began to gain control of the weapon and turned the barrel toward Deputy Nelson's chest, at the same time stating "I'm going to kill you." He deliberately released the magazine from his weapon **(refer Exhibits H & I)**, but believed that he still had one round chambered causing him to believe his life was still in danger. He called to Deputy Farrell to shoot Suspect Robinson, saying "Shoot him, shoot him. He's trying to get my gun. He's getting my gun."

Deputy Nelson said that Suspect Robinson pushed him to the ground and while lying on his back, Suspect Robinson was on one knee next to him with both his hands on the weapon. At this point Deputy Farrell came to his aid and Suspect Robinson released one hand to fend off Deputy Farrell. Using a great deal of force, he was able to gain control of his weapon and get away from Suspect Robinson. He broadcast a "998" call for assistance and regained his footing as Suspect Robinson aggressively moved towards him with his hands outstretched in an attempt to grab the

weapon one more time. He believed he still had one round in the chamber and from a distance of approximately five feet pulled the trigger twice; however, the weapon was empty and did not discharge. Meanwhile, Suspect Robinson, still on his knees, continued to advance on him.

Deputy Nelson said that he took one step back and kicked Suspect Robinson one time on the left side of his head causing Suspect Robinson to fall slightly backward. Suspect Robinson stood up and took several steps away from him while he (Nelson) attempted to reload his duty weapon. He saw Suspect Robinson stumble and fall to the ground on his stomach which caused him to believe Suspect Robinson given up. He saw Deputy Farrell detaining Suspect Robinson at gunpoint. He stopped reloading his weapon and began to coordinate units to the location.

Deputy Nelson said that Suspect Robinson suddenly lunged up and toward Deputy Farrell's duty weapon. He heard Deputy Farrell's weapon discharge one time, saw Suspect Robinson flinch and cease movement. Deputy Farrell ordered Suspect Robinson to lay on the ground at which time he saw Suspect Robinson was bleeding from an apparent gunshot wound to the upper body and neck area. As Deputy Farrell attempted to handcuff Suspect Robinson, he began to struggle once again. After assisting units arrived, Deputy Farrell, aided by Deputies [redacted] and [redacted] was able to control and handcuff Suspect Robinson (see page 8 re: force used). Deputy Farrell rendered first aid until paramedics arrived. Suspect [redacted] was cooperative during the incident and played no part in the struggle for the weapon.

Deputy Wade Farrell

Deputy Farrell said on the day this incident occurred, he was assigned to the COPS Team, working Unit 160N21, PM shift, with his partner Deputy Gregory Nelson. He was the driver and Deputy Nelson was the bookman. He was wearing a Sheriff's Department Class C uniform, green knit shirt with Sheriff's insignia on the back, Sheriff's patches on the shoulders and a cloth badge over the left breast area. He was wearing a black nylon Sam Brown belt with his Department issued Beretta 9MM handgun, two spare magazines, two handcuff cases, radio, expandable baton and O.C. spray. He said they were driving a marked black and white Sheriff's radio car.

Deputy Farrell said that they were driving south in an alley at the east end of the Best Value Grocery Warehouse parking lot when he saw two male whites sitting in a parked vehicle to the west. The males were both looking down as if they were sharing something. He then saw the passenger, Suspect Robinson, bring something up to his mouth to smoke. The manner in which Suspect Robinson was holding the object made him think that the object was not a cigarette, but rather illegal narcotics. Almost at the same time, the driver of the vehicle looked at him, followed closely by the passenger, with surprised expressions on their faces. The circumstances led him to believe that the occupants were smoking illegal narcotics. He then stopped the radio car to investigate possible narcotics violations.

Deputy Farrell said that as they approached the suspect vehicle, he was on the drivers side while Deputy Nelson went to passenger side, he heard Deputy Nelson telling the occupants to put their

hands in the air. His attention was focused on the driver; however, when he reached the driver's door, he saw that Suspect Robinson had both hands buried in his waist and recalled thinking that he had never seen anyone bury their hands in their waist that far before. He recalled seeing Deputy Nelson draw his duty weapon as they were approaching and at this point drew his weapon over concern about the location of Suspect Robinson's hands. He heard Deputy Nelson telling Suspect Robinson to "get his hands up" and Suspect Robinson replied something to the effect of "I'm not going to jail." He told the driver, Suspect [redacted], to exit the vehicle, he complied and was handcuffed. He could see that Deputy Nelson was holding his weapon as far away from Suspect Robinson as possible as he was trying to hold Suspect Robinson's hands in his lap. Due to the difficulty Deputy Nelson was having controlling Suspect Robinson, he decided to remove Suspect [redacted] from the area and escorted him to the right rear passenger door of their radio car. At this point he became aware that Deputy Nelson and Suspect Robinson were fighting over possession of Deputy Nelson's weapon. While he could not recall hearing Deputy Nelson say, "He's got my gun," he felt a sense of urgency and did not feel he had time to secure Suspect [redacted] in the radio car. He told Suspect [redacted] to stay by the radio car and left him standing there while he went to assist Deputy Nelson.

Deputy Farrell said that he saw Deputy Nelson and Suspect Robinson fighting "hard" over possession of the weapon. They both had both of their hands on the weapon and he described the interaction between them as "back and forth" and "chest to chest." He saw that Deputy Nelson's weapon was between the their chests. At this point he heard Deputy Nelson say "He's got my gun. He's got my gun. Shoot him. Shoot him." He believes at this point Deputy Nelson fired one round at Suspect Robinson. The struggle continued between Suspect Robinson and Deputy Nelson which prevented him from getting a clear shot at Suspect Robinson and at one point Suspect Robinson briefly grabbed his weapon. While Deputy Nelson and Suspect Robinson continued to struggle for Deputy Nelson's gun, he maneuvered to get a clear shot at Suspect Robinson. When he was able to shoot, he fired one time while Suspect Robinson was again holding his weapon. He attempted to fire a second round; however, the safety had been activated when Suspect Robinson had his hands on the gun and he ejected a live round.

Deputy Farrell said that Suspect Robinson stopped fighting with Deputy Nelson and stumbled in the general direction of the Best Value Grocery Warehouse store. As Suspect Robinson passed in front of him, he pushed him to the ground. Suspect Robinson sat up, got to his knees and grabbed the barrel of Deputy Farrell's weapon. He fired one round which struck Suspect Robinson in the jaw. Suspect Robinson rolled onto his stomach and lied still. He waited approximately one minute watching Suspect Robinson and then holstered his weapon in order to handcuff him.

Deputy Farrell said that he placed one handcuff on Suspect Robinson's left wrist, but when he tried to place the other handcuff on his right wrist, Suspect Robinson suddenly flipped himself over and began to sit up. He was unable to immediately gain control of Suspect Robinson due to the large amount of blood on his arms making him too slippery to hold. He was able to control Suspect Robinson by placing his ankles into the inside elbow joints and squeezing. In this position he tried to turn Suspect Robinson onto his stomach; however, each time he got close

Suspect Robinson would reach for and at times grab his holster and weapon. After several assisting units arrived they were able to handcuff Suspect Robinson, at which time Deputy Farrell administered first aid until paramedics arrived.

Deputy [redacted]

Deputy [redacted] said on the day this incident occurred, she was working COPS Team patrol Unit 160N23, PM shift, with her partner Deputy Sylvia Gaytan. She was wearing a Sheriff's Department Class C uniform consisting of a green knit shirt with Sheriff's insignia on the back and shoulder patches and a cloth badge over the left breast area. She was wearing a Sally Brown gun belt with duty weapon, expandable baton, two spare magazines, O.C. spray and radio.

Deputy [redacted] said that they went to the location in response to a radio broadcast of a deputy involved in a shooting. Upon their arrival she saw Deputy Nelson knelt over a male (Suspect Miley) who was handcuffed. She also saw Deputy Farrell holding the legs of another male (Suspect Robinson) who was thrashing around on the ground in an apparent attempt to free himself from Deputy Farrell's grasp. Based on Suspect Robinson's combative and uncooperative appearance, she ran to Deputy Farrell's position to assist in controlling him. As she approached she saw Deputy [redacted] was also involved in trying to control Suspect Robinson.

Deputy [redacted] said that when she reached the deputies location she saw Deputy [redacted] roll Suspect Robinson onto his stomach, at which time she saw that Suspect Robinson had one handcuff on his wrist. She also saw that both Suspect Robinson's hands were unsecured. Suspect Robinson continued to struggle now using the handcuffed hand as a weapon, swinging it at Deputy [redacted] Fearing for her safety and that of the other deputies, she kicked Suspect Robinson on his left shoulder with her right foot in an attempt to stop his assault on Deputies Farrell and [redacted]. Deputy [redacted] was eventually able to overcome Suspect Robinson's resistance and handcuffed him.

Deputy [redacted]

Deputy [redacted] said that on the day this incident occurred, he was working COPS Team unit 160N22, PM shift, with his partner Deputy Ciro Racowschi. He was wearing a Sheriff's Department Class C uniform consisting of a green knit shirt with Sheriff's insignia on the back and shoulder patches with a cloth badge over the left breast area. He was wearing a black nylon Sam Brown gun belt with duty weapon, two spare magazines, expandable baton, O.C. spray and radio.

Deputy [redacted] said that they went to the location in response to an assistance request by Deputies Nelson and Farrell re: a deputy involved shooting. Upon their arrival, he was directed by Deputy Nelson to assist Deputy Farrell, who was struggling with Suspect Robinson. He saw Deputy Farrell standing over Suspect Robinson and holding onto Suspect Robinson's left leg, who was moving around in an apparent attempt to free himself from Deputy Farrell's grasp. He

saw that Suspect Robinson's left wrist had a handcuff on it. He turned Suspect Robinson over onto his stomach and tried to bring his right wrist around in order to complete the handcuffing process. Suspect Robinson's arm was covered in blood and very slippery which made it difficult for him to hold onto the wrist. Suspect Robinson pulled his right wrist free and put it under his body, refusing to comply with Deputy [redacted] orders. While Suspect Robinson was resisting and struggling he (Deputy [redacted] saw Deputy [redacted] approach and kick him (Robinson) once on the left shoulder.

Deputy [redacted] said that he was able to gain control of Suspect Robinson's right arm and wrist, bring it around to his back and handcuff him. He said he then notified Sergeant Hocking of his use of force.

WITNESSES STATEMENTS:

Deputy Ciro Racowschi

Deputy Racowschi said that he responded to the location regarding a deputy involved shooting request for assistance. Upon his arrival, he went to assist Deputies Farrell, [redacted] and [redacted] who were engaged in a struggle with Suspect Robinson. He saw Suspect Robinson lying on his stomach, Deputy Farrell was holding his left arm which had a handcuff on it and Deputy [redacted] was attempting to bring Suspect Robinson's right arm behind his back. He noted that apparently due to the large amount of blood on Suspect Robinson's right arm, Deputy [redacted] lost control of that arm and Suspect Robinson placed that arm under his body. At this point he saw Deputy [redacted] kick Suspect Robinson one time between the shoulder blades. Deputy [redacted] was then able to bring Suspect Robinson's right arm behind his back and handcuff him.

[redacted]

Witness [redacted] said that she and Witness [redacted] were seated in her car and parked in the parking lot of Best Value Grocery Warehouse facing Carson Street. She said the windows were rolled up, the radio was on and the sunroof was open slightly. She observed the incident in the rear view mirrors of her car and by turning around and looking through the rear window.

Ms. [redacted] said shortly after they parked she heard a single "popping" sound, followed by another "popping" sound. She looked toward the area she thought the sound had originated and saw a deputy wearing a green shirt fighting with another man. She thought she heard another "popping" noise at that time, but could not be sure. She saw a second deputy join them and noted that both deputies had there guns drawn and pointed at the man (Suspect Robinson). The deputies were trying to get the suspect down onto the ground, but the suspect continued fighting with them.

Ms. [redacted] said the deputies were eventually able to get the suspect on the ground, face down. As they were trying to handcuff the suspect she heard another "pop" and saw that the suspect was bleeding. She saw one of the deputies walk to another man (Suspect [redacted]) and

place him on the ground. The first suspect was still struggling with the other deputy and now was trying to take his gun. The deputy had grabbed the suspect by the legs and lifted him onto his back, where the suspect continued to try and grab the deputies gun. She said the suspect fought the entire time and did not stop until after several other deputies arrived and they were able to handcuff him.

[redacted]

Witness [redacted] said that she was in the same vehicle as witness [redacted] looking south, away from where the incident occurred. She said she heard three gunshots which she believed at first were sounds coming from the traffic on Carson St. After the third gunshot, she looked out the rear window of the vehicle and saw a deputy and a male (Suspect Robinson) fighting. The male was lying on his back with his legs being held in the air by the deputy. While the struggle was occurring, the male continually tried to reach upwards toward the deputies gun. She said other deputies arrived and the male was handcuffed.

[redacted]

Witness [redacted] said that he was standing inside the Best Value Grocery Warehouse at the first cash register. He saw a radio car drive into the parking lot and stop near a pick-up truck or SUV type vehicle. Two deputies got out of the radio car and approached another vehicle in the parking lot.

Mr. [redacted] said that he saw a deputy handcuff a male (Suspect [redacted]), then he heard two gunshots and saw one of the deputies pointing his gun towards the ground; however, he was unable to see what he was pointing his gun at due to several parked vehicles obstructing his view.

Mr. [redacted] said that he then saw a male (Suspect Robinson), jump up, start to fight and pull away from the deputy. The deputy had the suspect by the arms, but the suspect was swinging and trying to hit the deputy. At this time he saw "a lot of blood" on the man's neck, arms and back as he fought with one deputy while the other deputy was attending to the other male. The struggle continued as the deputy had the suspect by the legs and the suspect was hitting the deputy on the legs. He said the suspect was not giving up and was not controlled until other deputies arrived and assisted the original deputy.

[redacted]

Witness [redacted] said that she worked for the Best Value Grocery Warehouse and was in the parking lot of the location collecting shopping carts. She heard two gunshots and looked towards the Der Weinerschnitzel to the east of her position. At this time she first noticed the deputies and saw that one deputy was fighting with a male (Suspect Robinson). She saw that the male was lying on the ground and trying to get the deputies gun. The male was handcuffed and she ran into the Best Value Grocery Store. Inside the store, she heard three more gunshots. She

did not see or hear anything beyond that point.

[redacted]

Witness [redacted] said that she was standing next to the Der Weinerschnitzel fast food restaurant near the bathroom door which is almost directly opposite the location of the incident. She saw a radio car drive into the parking lot of the Best Value Grocery Warehouse. She saw two deputies exit the radio car and approach another car parked in the lot.

Ms. [redacted] said that she then saw movement from one of the deputies legs which indicated to her that he was involved in a struggle. She saw that the deputies were trying to pull a man (Suspect Robinson) out of the car, but he was fighting with them as he was swinging his hands at them. She saw that there was another man (Suspect [redacted]) already handcuffed and standing next to the rear of the radio car.

Ms. [redacted] said that both deputies were fighting with the suspect trying to get him out of the car. During the fight she saw the suspect reach for the deputies gun and felt very strongly that the suspect was trying to take his gun. At this point she heard a gunshot and ran to the drive-thru area to get a better vantage point. She saw that the deputies had removed the suspect from the car, but were still fighting with him. She then heard two gunshots approximately one second apart. The fight continued with the suspect on the ground and did not end until other deputies arrived and assisted the two original deputies.

[redacted]

Witness [redacted] said that he was riding his bicycle westbound on Carson St. and as he passed Vermont Ave., he heard one gunshot. He continued westbound and approximately one minute later, he heard one more gunshot. He looked north towards the Best Value Grocery Warehouse and saw two deputies fighting with one male (Suspect Robinson) in the parking lot, while another male (Suspect [redacted]) was standing near a radio car. He stopped and continued watching the fight from a distance of approximately seventy-five yards.

Witness [redacted] said that he saw the heavy set deputy (Deputy Nelson) kick the male on the ground after which the gray haired deputy (Deputy Farrell) fired one round at the male who was lying on the ground. The deputy holstered his gun and grabbed the suspect's legs, who he now saw was lying face up. The suspect continued trying to get the deputy's gun who now had one hand on his gun, holding it in the holster. The deputies were able to put one handcuff on the male, but the male continued to fight. He heard Deputy Nelson ask for assistance and a short time later, additional Sheriff's cars began arriving and with this assistance the deputies were able to complete the handcuffing of the male. Four to five minutes later the paramedics arrived and began treating the suspect.

[redacted]

Witness [redacted] said that she was in an upstairs office of the Best Value Grocery Warehouse when she saw customers and employees looking towards the parking lot through the front plate glass windows. She went downstairs and looked towards the parking lot. She saw a male (Suspect Robinson) with blood on his head, lying on the ground and a deputy holding onto his feet as he tried to get up. She saw that the male, as he was trying to rise, was reaching for and trying to grab the deputies gun. At this point, she left her vantage point and did not see or hear anything else.

[redacted]

Witness [redacted] said he was working a cash register at the Best Value Grocery Warehouse when Witness [redacted] ran into the store and told everyone that there had been a shooting in the parking lot. He went to the east door of the location and heard one gunshot. From his vantage point he saw a male (Suspect Robinson) lying on the ground and a deputy backing away from him, saying on the radio "Man down. Man down." He went to tell his supervisor of the events and approximately thirty seconds later, as he passed the door on his way back to his register, he saw the male now lying face up, trying to rise and a deputy holding him down. He then was told that other deputies had arrived and that no one would be allowed to leave the store.

SUSPECT STATEMENTS:

Suspect #1, Robinson, Charles Ray

Suspect #1 Robinson was unable to talk due to his injuries and at the time of this report was in trial. He was represented by an attorney and had been advised not to talk with Investigators.

Suspect #2, [redacted]

Suspect #2 [redacted] said that he and suspect #1 Robinson had gone to the location in order to cash his payroll check. After their arrival, Suspect #1 Robinson removed a crack pipe and began to smoke it. At this point he saw a black and white Sheriff's radio car drive past them and into the parking lot. The driver deputy (Farrell) approached and handcuffed him as he was exiting his vehicle. As this was occurring he could see Suspect Robinson trying to hide the crack pipe from the passenger deputy (Nelson), who had approached the passenger side of his vehicle.

Suspect #2 [redacted] said that the passenger deputy reached through the window of the car and pulled Suspect Robinson out of the vehicle through that window. Suspect Robinson grabbed the deputies gun, which was still in the holster and he heard one gunshot, but he was unsure if the gun was in or out of the holster. The deputy and Suspect Robinson began struggling over control of the gun and he heard a second gunshot after which he heard one of the deputies say "Shoot him." The deputy who was with him, walked him to the radio car and then went to help the other deputy, who was still fighting with Suspect Robinson. That deputy subsequently shot Suspect Robinson two times. He said that it was his opinion that Suspect Robinson was attempting to shoot the deputy with his own gun.